FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Criminal Application No.1380 of 2006.

Anil Gulabrao Khairkar
..vs..
Ganesh Yadeorao Bobade

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

Coram: C. L. PANGARKAR J.
Dated : 16th August 2007.

1. Heard Shri P.S.Ganer, Advocate for the applicant.

2. This application for leave to appeal has been filed by the complainant since the complaint has been dismissed by the lower court.

3. It appears that the lower court has dismissed the application only on the ground that there has not been proper service of notice of demand. The learned Magistrate in

paragraph 11 of the judgment has observed that the envelope was properly addressed and it was returned as unclaimed. If envelope was properly addressed and it was returned as unclaimed, I find that this a fit case where leave to appeal should be granted. Leave to appeal is granted.

Admit.

The accused should furnish fresh bond before the lower court in same sum within 15 days.

Judge.

pzc